FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a total sign area of 182 sq.ft. in lieu of the maximum permitted 100 sq.ft., for two identification signs, in accordance with Petitioner's Exhibit 1.

The Petitioners, by James G. Edrington, I istant Vice President,
Marketing Department, appeared, testified, and was represented by Patrick
M. Shelley, Esquire. Also appearing on behalf of the Petition was Richard
J. Boecker, Jr., Project Manager. There were no Protestants.

Road, consists of 0.74 acres more or less zoned BL-CS-2, is improved with a two-story building which Petitioners recently acquired from Federal Savings Bank. Petitioners propose installing two new identification signs to increase visibility in the area. Testimony indicated an existing sign, identified as Petitioner's Exhibit A, will be removed and replaced with Proposed Sign 1 as depicted in Petitioner's Exhibit 1. Proposed Sign 1 consists of an illuminated, double-faced sign totalling 150 sq.ft. (75 sq.ft. per face), which is smaller than the existing sign by 9 sq.ft. In addition, Petitioners propose installing a second sign, identified herein as Proposed Sign 2, which is a tenant informational sign, consists of the remaining 32 sq.ft. of signage requested and will identify the other tenants in the building. Testimony presented indicated that the relief re-

PETITION FOR ZONING VALANCE

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

Variance from Section _____413.2.f.___to-permit-a_total_sign_area____

of 182 sq. ft. in lieu of the maximum 100 sq. ft.

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

quested would not result in any detriment to the health, safety or general welfare of the public.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

 whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant ruld do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, Proposed Sign 2 for use as a tenant identification sign is unnecessary. However, it is clear from the testimony that to grant the variance requested for Proposed Sign 1 would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, public hearing on this Petition held, and for the reasons given above, the variance requested as modified should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of April, 1989 that a variance to permit a total sign area of 150 sq.ft. in lieu of the maximum permitted 100

sq.ft., for Proposed Sign 1, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent upon the relief granted:

1) The Petitioner may apply for its sign permit and be granted same upon receipt of this Order; however. Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The variance granted herein is limited to one sign of 150 sq.ft. total (75 sq.ft. per face), as set forth in Petitioner's Exhibit 1 and identified herein as Proposed Sign 1.

3) The sign shall not be illuminated at any time between the hours f 12:00 AM and 8:00 AM.

4) There shall be no additional signage for the subject property; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit a tenant identification sign, identified herein as Proposed Sign 2 on Petitioner's Exhibit 1, totalling 32 sq.ft. (16 sq.ft. per face), be and is hereby DENIED.

J. ROBERT HAIRES
Zoning Commissioner
for Baltimore County

JRH:bjs

- 3-

open do

PETITION FOR ZONING VARIANCE AT PROVIDENT BANK OF MARYLAND 8200 HARFORD ROAD

REASONS FOR REQUESTING VARIANCE:

1. Unique Characteristics

We recently acquired this location from Federal Savings Bank.

Accordingly, we are requesting approval of the proposed signage as a means of identifying ourselves within the Harford Rd. Market. Market Research (refer to attached Exhi. t 1) has demonstrated that we have a significant Market Share of deposits within the area. Competition in the immediate area continues to increase and we need to maintain and increase our degree of presence within this area through increased customer awareness and visibility. This is of utmost importance since we are a new entrant in the Market, through and acquisition.

Additionally, the proposed pylon signage will provide a reference point to those approaching the site form either North or South and is the only visibly identifiable means of providing customers arriving by auto with a clearly definitive destination.

We also lease space in the building to other professional firms. Our proposal includes separate tenant signage so as to provide the proper degree of identity for those leasing space in the building.

2. Economic Hardship

Competitive forces, as mentioned above dictate that we retain a visible presence within the Market. Accordingly, the success of this location and the means in which we identify it will impact organizational profitability.

Provident Bank of Maryland has recently utilized the services of an external consultant to assist us in our efforts to reverse declining Market Share. One of the items that was recommended to remain competitive was a signage package that would create a means of corporate identification and awareness. The actual design costs for the proposed pylon signage at Harford Rd totalled \$2625.00. We also proposed costs associated with the consultants recommendation and incurred costs. Additionally, we have had the pylon signage fabricated research costs. Additionally, we have had the pylon signage fabricated since it is a standard design and placed into inventory, at a cost of \$10,100.00.

Provident Bank of Maryland has spent significant dollar resources on the design and fabrication of the proposed signage. By not installing this signage, we have in effect lost these funds and prevented their re-allocation to another viable project. Failure to install this signage will also severely hamper our efforts to implement a consistent signage package among our branches and serve to reduce our visibility within the Harford Rd. Market.

Additionally, effective tenant signage is necessary from a leasing standpoint, since the prospective tenant needs to develop awareness and a sense of identity within the area. Lack of such signage may hamper leasing efforts.

New signage will not alter the essential character of the locality.

The erection of the proposed signage will not compromise public health, safety or welfare. Additionally, the signage will have a long life due to the quality of its materials.

ZONING DESCRIPTION

Beginning for the same at the intersection of the Northeast side of Garnet Road with a line parallel to and ten feet (10) Northwesterly from the Northwest side of Harford Road. Being Lots 4, 5, 6, and 7 on the Plat of Subdivision No.1 of the land there belonging to Canton Company of Baltimore and recorded among the land records of Baltimore County in Liber W.P.C. No.549, foilio 596, also known as 8200 Harford Road.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines

Patrick M. Shelley, Esquire

Semmes, Bowen & Semmes

Towson, Maryland 21204

401 Washington Avenue

April 17, 1989

Dennis F. Rasmussen
County Essenting

RE: PETITION FOR ZONING VARIANCE
NW/S Harford Road, 20' NE of the c/l of Garnet Road
(S200 Harford Road)
9th Election District - 6th Councilmanic District
Provident Bank of Maryland - Petitioners
Case No. 89-391-A

Dear Mr. Shelley:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in part and denied in part in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

EXHIBIT 1)

PARKVILLE MARKET AREA

DEPOSITS & MARKET SHARE

DOLLARS IN THOUSANDS

SS-88 B7-88 MARKET DATE

DOLLARS IN THOUSANDS

ST-88 B7-88 MARKET DATE

ST-84 B7-88 MARKET DATE

ST-84 B7-88 MARKET DATE

DOLLARS IN THOUSANDS

ST-88 B7-88 MARKET DATE

ST-84 B7-88 MARKET DATE

DOLLARS IN THOUSANDS

ST-88 B7-88 MARKET DATE

ST-84 B7-88 MARKET DATE

DOLLARS IN THOUSANDS

ST-84 B7-88 MARKET DATE

ST-84 B7-88 MARKET DATE

DOLLARS IN THOUSANDS

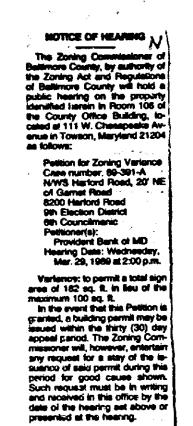
ST-88 B7-88 B7-89 MARKET MA

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Refer to Attached Property is it be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of the petition, and further agree to and are to be bound by the zoning regulations and restrictions baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, 521,615 under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Provident Bank of Maryland (Type or Print Name) (Type or Print Name) **Signature** James G. Edrington Assistant Vice President - Marketing Dept. (Type or Print Name) Attorney for Petitioner: • 4 PATRICK M. SHELLEY SEMMES, BOWEN & SEMMES Name, address and phone number of legal owner, contract purchaser or representative to be contacted Petitioners James G. Edrington 401 WASHINGTON AVE 250 WEST PRAIT STREET TOWSON, MD 21204 BALTIMORE, MARYLAND 21201 301 - 296 - 4400 301 - 539 - 5040 114 E. Lexington St.

required by the Zoming Law of Bastimore County, in two newspapers of general circulation throughout Bastimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Bastimore County in Room 106, County Office Building in Towson, Bastimore

29+6 day of MARCH, 1989, at 2 o'clock

Loxing Commissioner or Partimore County.



J. ROBERT HAINES

TOWSON, MD., 2000 10 1989 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 9 1989.

> NORTHEAST TIMES THE JEFFERSONIAN,

5. Zehr O-lan

PO 10472 7eg, M27066 co 89-391-4 price\$71.12

89-391-A

CERTIFICATE OF POSTING ZENING DEPARTMENT OF BALTIMORE COUNTY

Petitioner: Provident Bont of Maryland Location of property: NW/S Harford Rd., 70' NE/Garnt Rd.

From Horford Rd.

Location of Signer Facility Horford Rd., apres 20' Fr. Woodway, on Posted by Date of return: 3/10/79

CERTIFICATE OF PUBLICATION

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines Zoning Commissioner

3-13-89

Provident Bank of Maryland 114 E. Lexington Street Baltimore, Maryland 21202

ATTN: JAMES G. EDRINGTON

Petition for Zoning Variance CASE NUMBER: 89-391-A N/WS Harford Road, 20' NE c/1 Garnet Road 8200 Harford Road 9th Election District - 6th Councilmanic Petitioner(s): Provident Bank of Maryland

HEARING SCHEDULED: WEDNESDAY, MARCH 29, 1989 at 2:00 p.m.

Please be advised that 86.12 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do <u>not</u> remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office
Building, Room 111, Towson, Maryland, 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

each set not 2-01-615-000

RECEIVED F. Avidant N-Honal Bank Posting & Advartising (89-391-A) T of

> B B115******86,12*a 225%F VALIDATION OR SIGNATURE OF CASHIER

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

NOTICE OF HEARING

Feb. 27, 1989

Dennis F. Rasmussen

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance CASE NUMBER: 89-391-A N/WS Harford Road, 20' NE c/1 Garnet Road 8200 Harford Road 9th Election District - 6th Councilmanic Petitioner(s): Provident Bank of Maryland HEARING SCHEDULED: WEDNESDAY, MARCH 29, 1989 at 2:00 p.m.

Variance to permit a total sign area of 1-2 sq. ft. in lieu of the maximum 100

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing. . Polont flaires

J. ROBERT HAINES Zoning Commissioner of Baltimore County

PP-3 REPRESENTATION BY COUNSEL

An individual may enter an appearance by an attorney or in proper person. An individual shall include a partnership, joint venture or individual property owner and/or contract purchaser or lessee.

A corporation may enter an appearance at hearing only by an attorney. A corporation may file a Petition signed by a representative of the corporation, but there must be representation at the public hearing by counsel.

Bin /3 am for 1.17-67

BICHARD T. BOECKER SR.

FRETECT MANAGER

89-391-A BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

> County Office Building lil W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this lst day of February , 1989.

Robert Haines
ZONING COMMISSIONER

Petitioner's Attorney

Petitioner James G. Edrington Received by: James E. Dier Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

MEMBERS Burcau of

Department of Traffic Engineering State Toads Commissio Bureau of Fire Prevention Health Department Project Planning Building Department Board of Eduk ation Zoning Administration Industrial Development

March 15, 1989

Mr. James G. Edrington 114 E. Lexington Street Baltimore, MD 21202

> RE: Item No. 305, Case No. 89-391-A Petitioner: James G. Edrington Petition for Zoning Variance

Dear Mr. Edrington:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning accion requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVEANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer/ji JAMES E. DYER Chairman Zoning Plans Advisory Committee

JED:jw Enclosures

Maryland Department of Transportation State Highway Administration

Richard H. Trainor Hal Kassoff

February 13, 1989

Maryland

MD 117

Access Permits

Item #305

Provident Bank of

W/S Harford Road

Zoning meeting 1/31/89

N/W corner of Garnet Rd

post set(s), there

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204 Att: James Dyer

Re: Baltimore County

Dear Mr. Haines:

After reviewing the submittal for a variance to permit a total sign area of 182 square feet in lieu of the maximum 100 square feet, we have the following comment:

We have forwarded this plan to our Highway Beautification Section c/o Morris Stein (333-1642), for all comments relative to

If you have any questions, contact Larry Brocato (333-1350). Very truly yours,

creston J. Mills Jr.
Chief Bureau of Engineering

LB/es

cc: Whitney, Bailey, Cox, and Magnani J. Ogle Morris Stein w/att.

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toil Free 707 North Calvert St., Baltimore, Maryland 21203-0717

BAZTIMORE COUNTY, MARYZAND

March 28, 1989

INTER-OFFICE CORRESPONDENCE

J. Robert Haines TO Zoning Commissioner

> Pat Keller, Deputy Director FROM Office of Planning and Zoning Provident Bank

SUBJECT. Zoning Petition No. 89-391-A

The Office of Planning and Zoning has no objection to the above project. However, if approved, a landscape plan shall be reviewed and approved by the County Landscape Planner.

PK/sf

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554

March 1, 1989



Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, MD 21204

Dear Mr. Haines,

MSF/lab

The Bureau of Traffic Engineering has no comments for items number 275, 299, 300, 301, 302, 303, 304, 305, 306, 307, & 308.

Very truly yours,

Michael S. Flanigan Traffic Engineer Assoc. II

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500 Paul H. Reincke

February 14, 1989

J. Robert Haines, Zoning Commissioner Office of Planning & Zoning Baltimore County Office Building Towson, Maryland 21204

Provident Bank of Maryland Re: Property Owner: NW/S of Harford Road, 20° NE of centerline Dennis F. Rasmussen

Location: of Garnet Road Zoning Agenda: Meeting of January 31, 1989

Item No.: 305

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

(X) 7. The Fire Prevention Bureau has no comments at this time.

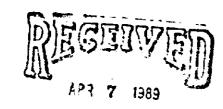
REVIEWER: Att Joe 1 Kly 3-15+9 APPROVED: 11 1 Prevention Bureau

Calvert and Lexington Streets P.O. Box 1661 Baltimore, Marykind 21203-1661



April 3, 1989

<u> Hand Deliver</u>



ZONING OFFICE

Mr. J. Robert Haines
Baltimore County Zoning Commissioner
Office of Planning and Zoning
111 W. Chesapeake Avenue
Towson, Maryland 21204

111 W. Chesapeako Avenue
Towson, Maryland 21204

Re: Case No. 89-391-A (Petition for Zoning
Variance for 182 Square Feet of Signa)

Dear Mr. Haines:

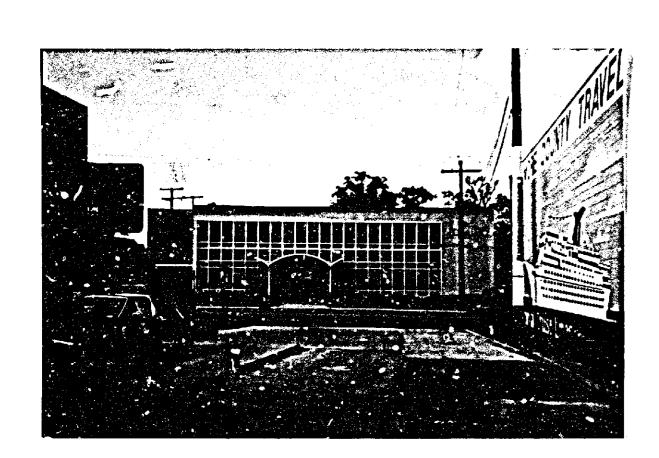
This letter is submitted as additional testimony regarding the impact of the proposed signage on the neighborhood.

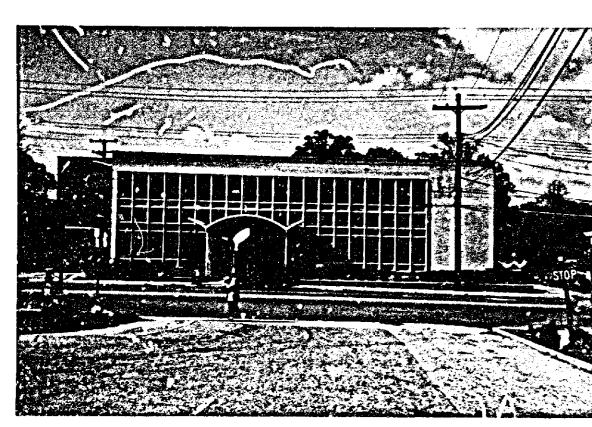
These signs will not increase the density beyond that otherwise liable by the regulations. The sign package is in strict harmony with the spirit and intent of the sign regulations since the sign package complies with all of the standards enumerated under Section 413.5.

As a further indication of the insubstantial injury to the public health, safety and general welfare we would like to reemphasize that the pylon sign, shown on Exhibit 1 as Proposed Sign 1. The existing sign, constructed in the Spring of 1966, contains approximately 159 square feet whereas the Proposed Sign 1 contains only 150 square feet. For your convenience, we have attached a drawing of the existing sign.

If we can provide any additional information with respect to this matter, please contact us at your convenience.







Thank you for your assistance and cooperation in this matter.

Best regards.

Sincerely,

Richard J. Boecker, Jr.

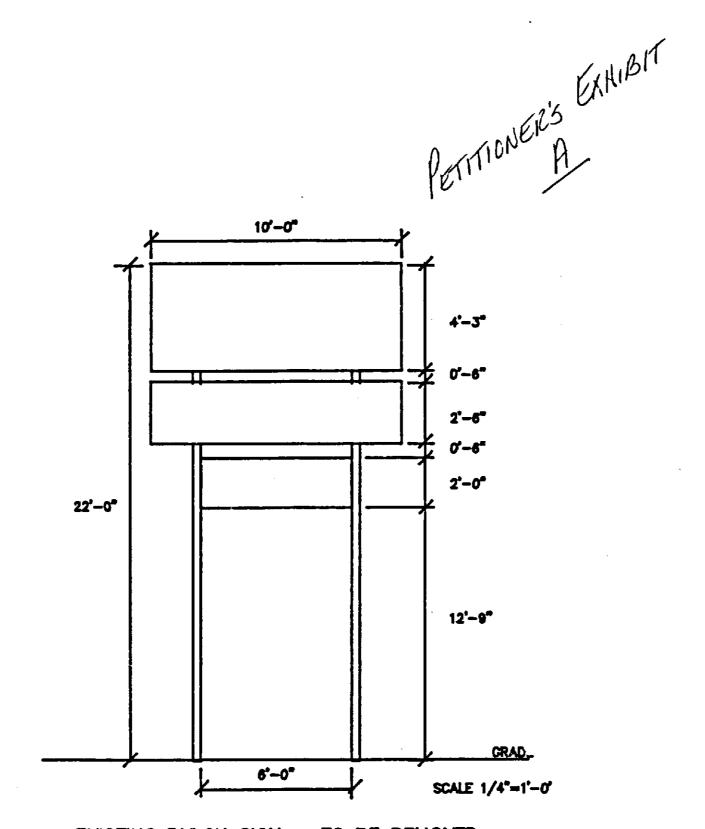
Project Manager

James Edrington

Assistant Vice President

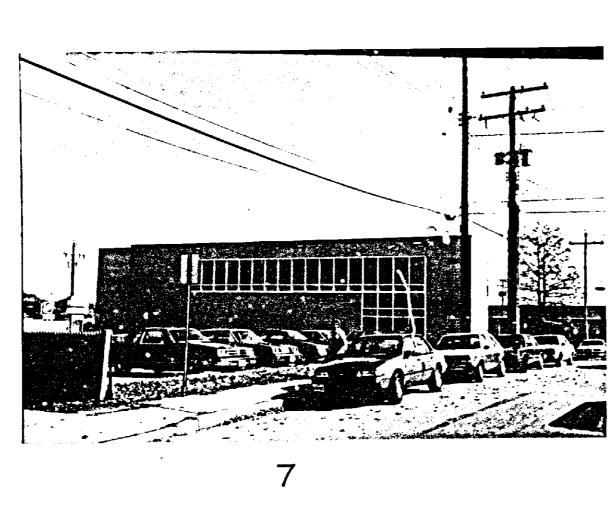
RJB/JR:jj

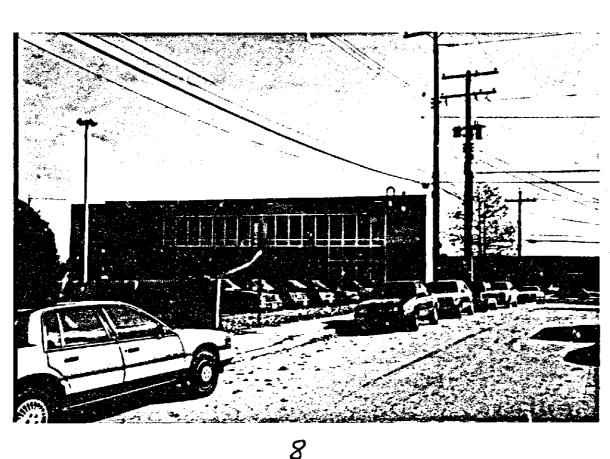
cc: Patrick M. Shelley, Esquire

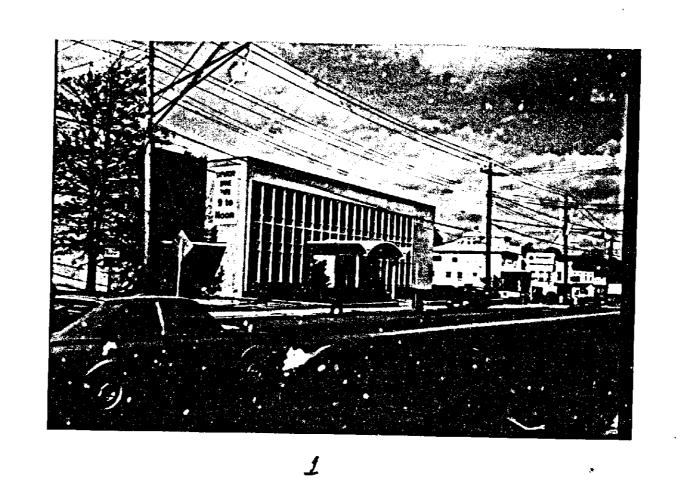


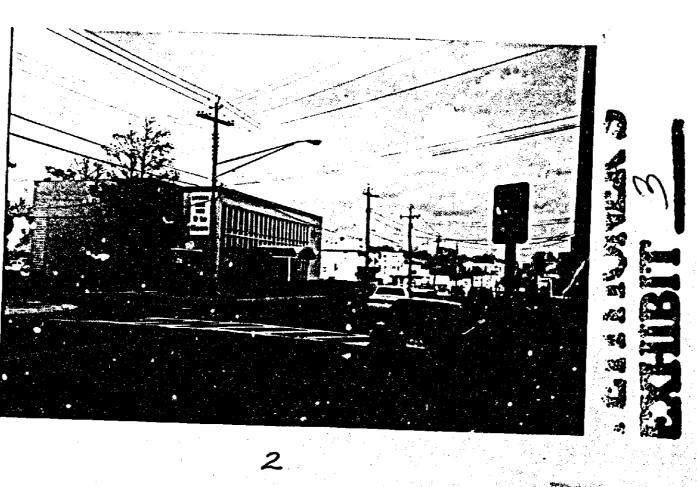
EXISTING PYLON SIGN — TO BE REMOVED

8200 HARFORD ROAD — BALTIMORE COUNT



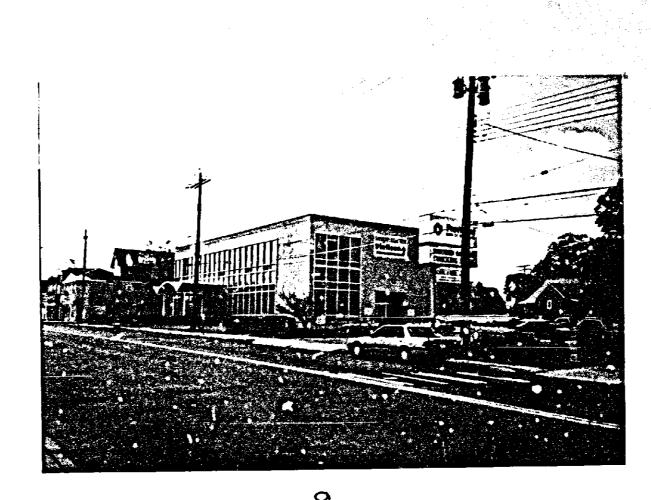


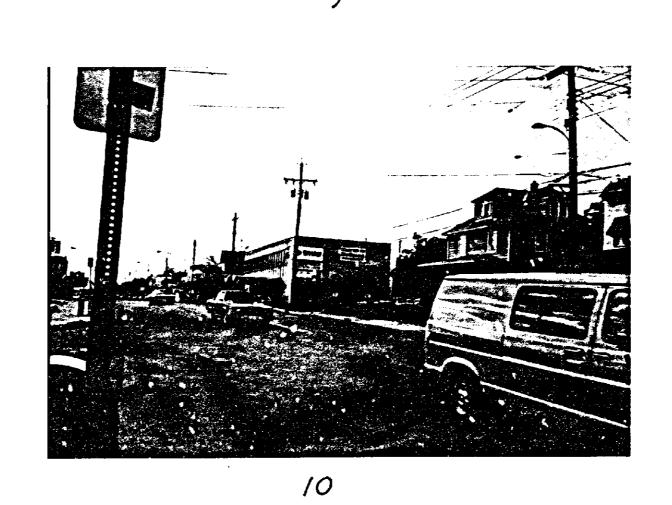
















!2

6

